PLANNING COMMISSION MEETING  
Thursday, January 23, 2014  
7:00 p.m.

PRESENT: Doordan, (Chairman), Wiggins, Johnston, Miners, Mullen, (Alternate), Broomell, (Ex-officio),  
Sennstrom, Houston and Dempsey.

ABSENT: Wallace and Doyle.

MINUTES- Motion made by Johnston, seconded by Miners and unanimously carried to approve the Monday,  
December 16, 2013, 7:00 p.m., minutes as mailed.

REZONING:

PROPERTY LOCATION: 995 Turkey Point Road, North East, MD 21901.  
PRESENTLY ZONED: Low Density Residential, (LDR).  
REQUEST: Request to rezone 5.5 Acres from Low Density Residential, (LDR) to High Density  
Residential, (RM).  
PROPERTY OWNER: Eustace W. Mita.

The following persons representing Eustace Mita:
Robert Jones, Esquire, 157 East Main Street, Elkton, MD  
Frank Mita, 995 Turkey Point Road, North East, MD  
Victor John Depollo, AICP, 320 Fayette St., Conshohocken, PA  
Chris McCabe, P.O. Box 66, Fruitland, MD 21826

Robert Jones, Esquire representing the Mita family at 995 Turkey Point Road, North East, MD and is bounded  
by Rte. 272 (Turkey Point Road) and the North East River. This is a 20 Acre parcel of land and they are  
requesting a portion (5.2 Acres) of the property changed from LDR to RM. Mr. Jones feels this is a mistake in  
the Comprehensive Rezoning.

Frank Mita, 995 Turkey Point Road, North East, MD stated he has been coming to Cecil County for 30 years,  
owned the property for 10 years, he is serving for the second term as the Chairman of the Cecil College  
Foundation and has worked doing renovations at the Turkey Point Lighthouse. Mr. Mita has spoken with the  
adjoining property owners. The price range of this development will be $300,000 to $500,000 and Mr. Mita  
plans to live on the property.

Victor Depollo, Land Planner and Landscape Architect, expert witness. The Mita family hired Mr. Depollo to  
take a fresh look at the property and the environmental conditions of the property in an effort to come up with a  
master plan that is both sensitive to the environment and developable for the property. Mr. Depolla presented a  
written presentation along with slides to the Planning Commission as follows, in file and audio on-line for  
reference:

1. Regional Location Map
2. Property Boundary Plan
3. Single-family residential subdivision plan
4. Site analysis plan
5. Summary of master plan findings and considerations
6. 24-units by right-residential subdivision plan
7. 34-unit cluster-residential subdivision plan
8. Preferred 35-unit cluster-residential subdivision plan
9. Preferred cluster-residential subdivision plan
10. Area location
11. Criteria for granting of a zoning change
12. Map 3.8 - future land use
13. Map 3.10 - growth and rural areas
14. Table 3.10 - Land use categories summary
15. Map 7.11 - Priority preservation area
16. Map 6.16 - Sewer services areas in Cecil County
17. Table 11.2 - Plan implementation
18. Various maps
19. Treatment of on-site run-on
20. Treatment of off-site run-on
21. Reasons to permit partial rezoning from LDR to RM

Mr. Jones stated Ronnie Carpenter, Carpenter Engineering, LLC had a previous appointment this evening and could not be at the meeting this evening.

Christopher McCabe, Environmental Compliance Management Consultant, Fruitland, MD stated his specialty is in Geography and Geo Science. Mr. McCabe was retained by the Mita family to go over and review the Storm Water Management requirements and the Critical Area requirements on the site and the Water Shed Implementation plan. The Critical Area does not oppose this plan. In this plan no trees would be removed in the critical area. In depth discussion on audio for reference.

Health Department Report - The Health Department has no objection to the proposed rezoning.

COMMENTS IN SUPPORT: Jim Michael, 123 Susquehannock Blvd., North East, MD stated he is the closest neighbor to this project and has no objection to this rezoning.

Stuart Methven, 5411 Turkey Point Road, North East, MD has no objection to this rezoning.

Ronald Sexton, 275 McKinneytown Road, North East, MD is in favor of this development plan, especially what has been done to accommodate the critical areas.

Yvonne Cole, 88 Wells Camp Road, North East, MD the overall plan for storm water is a very good plan for the community.

COMMENTS IN OPPOSITION: Findley McCool, Esquire, 210 East Main Street, Elkton, MD is representing Shady Beach Trust, Trustees, Nancy Hughes and Amy Argudo. Ms. Hughes property is adjacent to Mr. Mita's property. The applicants have filed this application for rezoning under a mistake. The County is aware of the problems with this property. Mr. Mita tried to develop this property in 2002, 2003 and 2004 and was denied. Mr. Mita turned in a beautiful concept plan, but showed no mistake in the 2011 Comprehensive Rezoning. The applicant has failed to meet its burden.

Patrick Lynch, 49 Algonquin Road, The Harbors, North East, MD stated "the county planners made a conscious decision to designate the area west of Route 272 to the Northeast River as a low density growth area."
Rezoning this property to high density sets a legal precedent that will have a very negative impact on every boundary established in the 2011 Comprehensive Rezoning Plan. There have been no changes in land use for this area in the two years since the 2011 County's Comprehensive Plan." In file, for reference is a petition opposed to the rezoning signed by over 100 residents.

Carl Walbeck, 47 Mallard Drive, North East, MD Retired State of Maryland Professional Engineer and Retired Colonel in the U.S. Army Corp. of Engineers and past President of the Planning Commission. Mr. Walbeck was on the Over Site Committee also. There is no high density residential from the VFW down to Hances Point off Rte. 272. The Over site Committee decided Rte. 272 would be a hard boundary from low density and high density. There has been no proof made that a mistake has been made in this zoning, in fact the zoning followed what the Over Site committee recommended, please reject this rezoning application.

Patricia Lemmerman, 85 West Shady Beach Road, North East, MD has been a Landscape Architect and a Planner for 30 years. Ms. Lemmerman feels Mr. Mita knew what the zoning was when he purchased the property and this property was appropriately zoned in the first place. Support the Comprehensive Plan as it was written.

Charles Herzog, 56 McCush Drive, Colora, MD stated he was very impressed with the presentation tonight made by Mr. Depollo, but Rte. 272 has been designated as a hard boundary. There was no mistake made in the Comprehensive Rezoning. Mr. Herzog also represents Cecil Land Trust and this would be an insult to put a high density area next to an easement, please do not vote for this rezoning.

Charles Harris, 124 Grandview Ave., stated if this would be approved it would start the domino effect, then other persons would want to develop their property too, it would accelerate the problems. Mr. Harris is also troubled with the storm water figures shown by Mr. Depollo with his presentation, these were not convincing figures.

George Kaplan, 35 Oak Street, Colora, MD stated that what was presented this evening is irrelevant to this rezoning. Why did Mr. Mita not come forward when the 2011 Comprehensive Rezoning? There has been no mistake made in the density. The LDR Zone is exactly what the 2011 Comprehensive Plan calls for this property and what is adjacent to it.

Ron Hartman, 164 Little Egypt Road, Elkton, MD stated if the Planning Commission decides to grant this rezoning change you are opening Pandora's box. This will set a bad precedent, other places in the county will want to rezone too. Before you vote, think about what you are doing.

Jim Wolfred, 85 West Shady Beach Road, North East, MD bought his property in 2001 and is troubled about the logic for rezoning this property.

Cliff Houston stated the Office of Planning and Zoning has received three letters in opposition from Wyatt Wallace, Jeffrey Doyle and Nancy Valentine, attached and in file for reference.

**RECOMMENDATION:**

APPLICANT: Carpenter Engineering, LLC, Attn: Ronnie B. Carpenter, PE.
FOR: Request to rezone 5.5 Acres from Low Density Residential, (LDR) to High Density Residential, (RM).

Staff recommended disapproval due to no change since the last Comprehensive Rezoning and no demonstrated mistake in the last Comprehensive Rezoning.
ACTION: Motion made to approve based upon a mistake in the 2011 Comprehensive Rezoning by Johnston, seconded by Miners.
VOTE: Three (3) to one (1) to approve, motion carried.

GENERAL DISCUSSION: None.

The meeting adjourned at 8:20 p.m.

NEXT PLANNING COMMISSION MEETING: Wednesday, February 19, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

___________________________________
Gale L. Dempsey, Administrative Assistant
Office of Planning and Zoning
PRESENT: Doordan, (Chairman), Wiggins, Johnston, Miners, Wallace, Doyle, Sennstrom, Houston and Dempsey.

ABSENT: Mullen, (Alternate), Broomell, (Ex-officio).

MINUTES- Motion made by Johnston, seconded by Miners and unanimously carried to approve the Thursday, January 23, 2014, 7:00 p.m., minutes as mailed.

SPECIAL EXCEPTIONS:

FILE: 3669 - APPLICANT: Glenn M. Sensenig.
FOR: Special Exception for a home occupation to sell and rent equipment.
PROPERTY LOCATION: 430 Locust Point Road, Elkton, MD 21921, Election District: 2, Tax Map: 38, Parcel: 344.
PROPERTY OWNER: Glenn M. Sensenig.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Glenn and John Sensenig, 430 Locust Point Road, Elkton, MD presented their application to sell and rent equipment at their home. Mr. Sensenig received a letter stating he was in violation of not having a special exception for his business to rent and sell equipment. Their primary occupation is farming and he needs this second occupation to make ends meet at the farm. Mr. Sensenig is getting older and his son his going to be taking over the business. The Sensenig’s are selling and renting construction equipment. There will be no signs for advertising on the property.

Health Department Report - No additional septic flow involved. Health Department has no objection to request.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

FILE: 3670 - APPLICANT: Dianna Brooks.
FOR: Special Exception renewal to operate a commercial kennel.
PROPERTY LOCATION: 222 Conowingo Road, Conowingo, MD 21918, Election District: 8, Tax Map: 16, Parcel: .542.
PROPERTY OWNER: Dianna Brooks.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Dianna Brooks, 222 Conowingo Road, Conowingo, MD stated she would like to renew her special exception to operate a commercial kennel. There have not been any complaints from any neighbors with her operation.

Health Department Report - Special Exception granted for 2012. On January 13, 2014 Mr. Von Staden met with Mr. and Mrs. Brooks and approved waste disposal. Health Department has no objection to request.
Cynthia Witkowski, 121 Woodall Road, Perryville, MD would like a special exception to sell hand crafted items out of her home on the internet. There will be no customers coming to her home, she will selling her items at craft shows and the internet.

Health Department Report - Property served by public sewer. Health Department has no objection to request.

COMMENTS IN SUPPORT: None.
COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:

APPLICANT: Glenn M. Sensenig.
FOR: Special Exception for a home occupation to sell and rent equipment.

Staff recommended approval for two (2) years with the planting of an evergreen screen around the equipment.

ACTION: Motion made to approve with staff recommendations by Miners, seconded by Wallace.
VOTE:      All in favor, motion carried.

APPLICANT: Dianna Brooks.
FOR: Special Exception renewal to operate a commercial kennel.

Staff recommended approval for as long as property owner owns the property and operates the kennel.

ACTION: Motion made to approve with staff recommendations by Johnston, seconded by Miners.
VOTE:      All in favor, motion carried.

APPLICANT: Cynthia J. Witkowski.
FOR: Special Exception for a home occupation.

Staff recommended approval for two (2) years.

ACTION: Motion made to approve with staff recommendations by Wiggins, seconded by Johnston.
VOTE:      All in favor, motion carried.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:13 p.m.
NEXT PLANNING COMMISSION MEETING: Monday, March 17, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

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Gale L. Dempsey, Administrative Assistant
Office of Planning and Zoning
PRESENT: Doordan, (Chairman), Wiggins, Johnston, Miners, Doyle, Broomell, (Ex-officio). Sennstrom and Dempsey.

ABSENT: Wallace, Mullen, (Alternate) and Houston

MINUTES- Motion made by Wiggins, seconded by Miners and unanimously carried to approve the Wednesday, February 19, 2014, 7:00 p.m., minutes as mailed.

SPECIAL EXCEPTION:

FOR: Renewal of a Special Exception to operate a internet retail business.
PROPERTY LOCATION: 44 Pine Cone Drive, North East, MD 21901, Election District: 5, Tax Map: 25, Parcel: 775, Lot: 42.
PROPERTY OWNER: Alan M. & Christine T. Robbins.
PRESENTLY ZONED: Suburban Transition Residential, (ST).

Christine Robbins, 44 Pine Cone Drive, North East, MD stated her husband and herself would like to continue to operate their internet retail business. Her husband and herself will be assembling and selling Christmas ornaments. No one will coming into her home; everything will be handled by mail. Ms. Robbins has operated this operation will no complaints the last two (2) years.

Health Department Report - Property is served by public sewer with onsite well. The Cecil County Health Department has no objection to this request.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:

APPLICANT: Christine T. Robbins.
FOR: Special Exception for a home occupation to operate a internet retail business.

Staff recommended approval for as long as applicant owns the property and operates the business.

ACTION: Motion made to approve with staff recommendations by Miners, seconded by Doyle.
VOTE: All in favor, motion carried.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:05 p.m.
NEXT PLANNING COMMISSION MEETING: Monday, April 21, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

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Gale L. Dempsey, Administrative Assistant
Office of Planning and Zoning
PRESENT: Pat Doordan, (Chairman), Ken Wiggins, Chad Johnston, Bill Miners, Geoff Doyle, Cliff Houston, Eric Sennstrom and Jennifer Bakeoven.

ABSENT: Wyatt Wallace, Tom Mullen, (Alternate) and Diana Broomell (Ex-Officio)

MINUTES- Motion made by Miners, seconded by Wiggins and unanimously carried to approve the Monday March 19, 2014, 7:00 p.m., minutes as mailed.

NOMINATION FOR HISTORIC DESIGNATION:

LOCATION: One Old Farm House Lane, Elkton, MD 21921, Presently Zoned: Suburban Transition, (ST). 
PROPERTY OWNER: Patricia Doyle Folk and Edgar E. Folk, III, MD.

Mr. Sennstrom presented the nomination. He stated that the home was erected circa 1760. It is three (3) bays long, two (2) stories high, two (2) rooms deep and has a two (2) story wing. Mr. Sennstrom read aloud the specific architectural elements of the home.

This item was before the Cecil County Historic District Commission at their April 1, 2014 meeting. The HDC has forwarded a recommendation of approval for designation as a local historic sight.

The next meeting for this application will before the County Council on May 6, 2014.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval.

ACTION: Motion made to approve with staff recommendations by Mr. Wiggins, seconded by Mr. Miners.
VOTE: All in favor, motion carried.

TEXT AMENDMENT - Amendment to the Forest Conservation Regulations.
Amend Article II to add Section 2.58 "Stream Restoration Project." Definition and amend Article III, Section 3.2K to add exemptions for maintenance or retrofitting stormwater management structures and for stream restoration projects.

Mr. Sennstrom gave an overview of the requested amendment. DNR was the genesis for this proposed amendment. They suggested that the County add this language into the document in order to permit projects to go into SWM facilities and repair them when they are being overgrown. This is also adding an exemption for stream restoration projects that may need to go into forested areas and remove trees. The language proposes to
define what a stream restoration project is in Section 2.58 and to add the 2 exemption to Section 3.2 of the Forest Conservation Regulations.

The next meeting for this amendment will be on May 6, 2014 before the County Council.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval.

ACTION: Motion made to approve with staff recommendations by Mr. Wiggins, seconded by Doyle.
VOTE: All in favor, motion carried.

AMENDMENT - Cecil County Master Water and Sewer Plan - Chesapeake City.
Amend Chapter 4, Section 4.1.4B to add text regarding the consolidation of the existing wastewater facilities on the north side of town and to amend the sewer service area map to add tax map: 43, Parcel: 26 as an S-2 service area.

Mr. Sennstrom gave an overview of the requested amendment. The town is in the process of moving forward with the consolidation of their 2 wastewater treatment facilities into 1 facility. It is currently proposed to be on the north side of town. The sewage affluent from the south side would be pumped under the canal to the north side and treated. The mobile home park on the easterly side of town has approached the town and requested the sewer service from the municipality in the near future. To accomplish this, the property would have to be included on the sewer service area map as an S-2 service area.

The next meeting for this application will be May 6, 2014 before the County Council.

COMMENTS IN SUPPORT: Dean Geracimos, Mayor of Chesapeake City, spoke in favor of this application.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval.

ACTION: Motion made to approve with staff recommendations by Mr. Miners, seconded by Mr. Johnston.
VOTE: All in favor, motion carried.

AMENDMENT - Master Water and Sewer Plan- Mike McCormick and Marlene Matosky, 438 Red Toad Road, North East, MD 21901, Tax Map: 25, Parcel: 84.
Amend sewer service area map to add Tax Map: 25, Parcel: 84 as an S-2 service area.

Mr. Sennstrom gave an overview of the proposed amendment. The property is surrounded by properties that are designated as S-1. The subject property has a holding tank for their sewage; it is not connected to the public sewer line. The property owners are interested in connecting to the existing sewer line.
The next meeting for this application will be May 6, 2014 before the County Council.

Mr. Wiggins read the comments of the Health Department:

Section 1.3.4 of the Master Water and Sewer Plan states that parcels not designated for service maybe connected “to provide service to an existing residence … experiencing health or environmental problems.” Based on the wording of this section, it would appear that the sewer designation would not need to change to serve this dwelling with a failing septic system. Any additional development of the property would require modification of the map to S-2.

COMMENTS IN SUPPORT: Dwight Thomey, Esq., representative for Mr. McCormick and Ms. Matosky, gave an overview of his client’s request.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval

ACTION: Motion made to approve with staff recommendations by Mr. Johnston, seconded by Mr. Miners.
VOTE: All in favor, motion carried.

AMENDMENT - Master Water and Sewer Plan- Upper Room Gospel Tabernacle, Tax Map: 19, Parcel 295.
Amend sewer service area map to add Tax Map: 19, Parcel: 295 as an S-2 service area and to amend the water service area map to add Tax Map: 19, Parcel: 295 as a W-2 service area.

WITHDRAWN

SPECIAL EXCEPTION:

FILE: 3674 - APPLICANT: Justin Anthony Phenneger.
FOR: Special Exception to locate a singlewide or doublewide manufactured home for hardship purposes.
PROPERTY LOCATION: 1824 Blue Ball Road, Elkton, MD 21921, Election District: 3, Tax Map: 20, Parcel: 872, Lot: 1.
PROPERTY OWNER: Carla E. Reeves & Justin Anthony Phenneger.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Carla Lavelle and Justin Phenneger appeared and presented an overview of their request. Ms. Lavelle stated that due to Mr. Phenneger’s family increasing in size and the existing house not being able to accommodate all members of the family, they request a Special Exception for hardship purposes.

Mr. Wiggins read the comments of the Health Department:
Repair Permit R1593-94 was issued January 23, 1995 for a three (3) bedroom house to repair the existing septic system.

An outlet filter is required to be installed on the outlet end of the existing septic tank. Additional upgrades to septic system may be required when permit is received for mobile home.
The Cecil County Health Department has no objection to Special Exception request.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: Charles Reynolds, 147 Countryside Loop, Elkton, MD; Sheila & Richard Permenter, 1849 Blueball Road, Elkton, MD; Delvin Permenter, 1852 Blueball Road, Elkton, MD; Shawn Connelly, 51 Countryside Loop, Elkton, MD; Josh Zdziech, 67 Countryside Loop, Elkton, MD and Donna Fisher, 60 Countryside Loop, Elkton, MD spoke in opposition. The opposition that was sighted included crime, questions regarding the possible residents of the mobile home, home values, taxes and placement of the mobile home.

Mr. Wiggins asked for clarification of the placement location of the mobile home. Ms. Lavelle stated that it would be around the back of the property, not being visible. She stated that she plans to plant trees or a place a privacy fence up as a buffer. Ms. Lavelle added that there is currently a mobile home directly in front of her home on the Birney property.

Mr. Wiggins asked Ms. Lavelle who would be living in the mobile home. Ms. Lavelle stated that Justin Phennegar and his daughter would be living in the mobile home.

RECOMMENDATIONS:
Staff recommended disapproval; no demonstrated hardship.

ACTION: Motion made to disapprove by Mr. Miners, seconded by Mr. Wiggins.
VOTE: Members in favor of disapproval include; Mr. Miners, Mr. Johnston & Mr. Wiggins. Members in opposition of disapproval include: Mr. Doyle. Motion for disapproval carried.

The next meeting for this application will be April 29, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:34 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, May 19, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

Jennifer Bakeoven, Administrative Assistant
Office of Planning and Zoning
PRESENT: Pat Doordan, (Chairman), Ken Wiggins, Chad Johnston, Bill Miners, Geoff Doyle, Wyatt Wallace, Eric Sennstrom and Jennifer Bakeoven.

ABSENT: Tom Mullen, (Alternate) and Diana Broomell (Ex-Officio)

MINUTES- Motion made by Mr. Wallace, seconded by Mr. Johnston and unanimously carried to approve the Monday April 21, 2014, 7:00 p.m., minutes as mailed.

SPECIAL EXCEPTION:

FOR: Renewal of a Special Exception to sell ice and bait.
PROPERTY LOCATION: 65 George Street, Georgetown, MD 21930, Election District: 1, Tax Map: 67, Parcel: 37.
PROPERTY OWNER: Morgan A. Lum.
PRESENTLY ZONED: Village Residential, (VR).

James Wilson and Edith Hessey appeared and presented an overview of the application. Mr. Wilson explained that Mr. & Mrs. Lum have provided lifetime rights to the Hessey’s to live on the property. The Lum’s have also given their support of the Hessey’s business venture. Mr. Wilson stated that the Hessey’s sell ice seven (7) days a week. Their hours of operation are usually between 8:00 a.m. – 6:00 p.m. The Hessey’s are requesting the Special Exception to be approved for as long as they live at this address.

Mr. Wiggins read the comments of the Health Department:
Repair Permit was R2224-98 issued to repair existing septic system on May 21, 1998 for this property. Health Department has no objection to this renewal of a special exception.

COMMENTS IN SUPPORT: None.
COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval for as long as the applicants operate the business and reside on the property.

ACTION: Motion made to approve by Mr. Miners, seconded by Mr. Johnston.
VOTE: All members voted in favor of this application.

Motion for approval carried.
The next meeting for this application will be May 27, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:07 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, June 16, 2014, at 7:00 p.m. located in The Perryville Room.

Respectfully submitted:

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Jennifer Bakeoven, Administrative Assistant
Office of Planning and Zoning
PRESENT: Pat Doordan, (Chairman), Chad Johnston, Bill Miners, Geoff Doyle, Wyatt Wallace, Diana Broomell (Ex-Officio), Eric Sennstrom and Jennifer Bakeoven.

ABSENT: Ken Wiggins, Tom Mullen, (Alternate) and Cliff Houston.

MINUTES- Motion made by Mr. Miners, seconded by Mr. Johnston and unanimously carried to approve the Monday May 19, 2014, 7:00 p.m., minutes as mailed.

REZONING:

REQUEST: Request to rezone 2.199 acres from Suburban Transition (ST) to Business General (BG).
PROPERTY LOCATION: Stevens Road, Rising Sun, MD, Election District: 6, Tax Map: 3, Parcel: 223, Lot 2A.
PROPERTY OWNER: John VanDyke.
PRESENTLY ZONED: Suburban Transition (ST).
WITHDRAWN

SPECIAL EXCEPTION:

File 3678 – APPLICANT: Jennifer Ewing.
FOR: Renewal for a Special Exception to operate an in-home hair salon.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Dwight Thomey, Esq. and Gregory and Jennifer Ewing appeared and presented an overview of the application. Through a series of questions, asked by Mr. Thomey, it was discovered that there has been no traffic issues or neighboring complaints since the original Special Exception was granted for this hair salon.

Mr. Wallace read the comments of the Health Department:
Commercial outlet filter installed on existing septic system. Health Department has no objection to this the renewal of a special exception.
COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval for as long as the applicants operate the business and own the property.

ACTION: Motion made to approve with staff’s conditions by Mr. Wallace. Motion seconded by Mr. Miners.
VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be June 24, 2014 before the Board of Appeals.

FILE 3680-APPLICANT: Delmarva Power & Light Company, c/o David Seay.
FOR: Special Exception for a communication tower that is 120’ in height.
PROPERTY LOCATION: 350 Nesbitt Road, Colora, MD 21917, Election District: 6, Tax Map: 10, Parcel: 771.
PROPERTY OWNER: Delmarva Power & Light Company.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Demetrios Kaouris, Miles & Stockbridge, Charlie Peresta and David Seay, Delmarva Power, appeared and presented an overview of the application. The purpose for the tower is to enhance the reliability of transmission facilities to some of the outlying areas. The intention is to keep the tower on the existing gravel site on the property that currently houses a tower. An aerial photograph was provided to the commission members for review. Mr. Seay gave a presentation reflecting the intent of the tower and a background history of the property.

Mr. Wallace asked if the proposed tower would create an interference with surrounding power stations. Mr. Seay said no.

Mr. Peresta explained that the purpose of the tower is to reach the areas outside of the substation territories. This will improve reliability in the northeast district. In the event of an outage in the area, the control center will have the ability to remotely minimize the impact of the outage.

Discussion ensued regarding the posting of the Special Exception request on the property.

In response to a question asked by Mr. Doyle, Mr. Sennstrom gave an overview of why this Special Exception is required.

Mr. Wallace read the comments of the Health Department:
Health Department has no objection to this request of special exception.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.
RECOMMENDATIONS:
Staff recommended approval pursuant to a variance being granted by the Board of Appeals.

ACTION: Motion was made for approval by Mr. Johnston. Motion seconded by Mr. Wallace.  
VOTE:  All members voted in favor of this application.  

Motion for approval carried.

The next meeting for this application will be June 24, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:25 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, July 21, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

Jennifer Bakeoven, Administrative Assistant  
Office of Planning and Zoning
PLANNING COMMISSION MEETING  
Monday, July 21, 2014  
7:00 p.m.

PRESENT:  Pat Doordan, (Chairman), Ken Wiggins, Chad Johnston, Bill Miners, Geoff Doyle, Wyatt Wallace, Diana Broomell (Ex-Officio), Cliff Houston and Jennifer Bakeoven.

ABSENT:  Tom Mullen, (Alternate) and Eric Sennstrom.

MINUTES- Motion made by Mr. Wallace, seconded by Mr. Johnston and unanimously carried to approve the Monday June 16, 2014, 7:00 p.m., minutes as mailed.

SPECIAL EXCEPTION:

FOR: Renewal of a Special Exception for SWMH for hardship purposes.  
PROPERTY LOCATION: 36 Oakwood Road, Conowingo, MD 21918, Election District: 8, Tax Map: 8, Parcel: 70.  
PROPERTY OWNER: Thomas & Merrie Moore.  
PRESENTLY ZONED: Rural Residential (RR).

Shannon, Thomas and Merrie Moore, appeared and presented an overview of the application. Shannon Moore explained that she would like to receive approval to retain the SWMH permanently on the property for her use. She stated that they have spent a considerable amount of money on placing the SWMH on the property and due to her current financial status, she would like to remain on the property.

Mr. Wallace asked the applicant who resides in the mobile home. Ms. Moore said that she and her daughter reside in the mobile home. Mr. Moore stated that the mobile home was placed on the property two (2) years ago. Mrs. Moore stated that her daughter, Shannon, has only resided in the mobile home for one (1) year. She explained that her daughter is employed but earns a limited income.

Mr. Wiggins read the comments of the Health Department:  
Permit number 201260040 was issued for the original special exception. Health Department has no objection to this request of renewal.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:  
Staff recommended approval for as long as Thomas and Merrie Moore own the property and the applicant resides in the mobile home.

ACTION: Motion made to approve with staff’s conditions by Mr. Wallace. Motion seconded by Mr. Miners.
VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be July 29, 2014 before the Board of Appeals.

FILE: 3683 - APPLICANT: Bruce & Paula Rixham.
FOR: Special Exception for a guest house.
PROPERTY LOCATION: 1159 Ridge Road, Rising Sun, MD 21911, Election District: 6, Tax Map: 2, Parcel: 43.
PROPERTY OWNER: Bruce & Paula Rixham.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Bruce and Paula Rixham appeared and presented an overview of the application. Mr. Rixham explained that he owns approximately 14 acres on Ridge Road. There is currently an old home on the property that was built back in the early 1800’s. The Rixhams would like to build a new home on the property while retaining the old home for guest purposes. They have family in the military as well as other family from out of state that visit.

Mr. Wallace asked if the Rixhams know of any issues that he owners of Parcel 44 may have. Mr. Rixham stated that this property has been vacant for the last 4-5 years.

Councilwoman Broomell asked what condition the existing house is currently in. Mr. Rixham presented the commission with pictures of the existing home.

Mr. Wiggins read the comments of the Health Department:
An area was established under Minor Subdivision # 3869 A for an existing septic system and 1 (one) repair. The proposed new home would require 10,000 sq. ft. of sewage area and the installation of a Best Available Technology (BAT) tank. New construction with septic system connecting to existing septic system requiring an upgrade would also require a BAT tank and soil evaluations to adequately show 10,000 sq. ft. of sewage area.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval.

ACTION: Motion was made for approval by Mr. Miners. Motion seconded by Mr. Johnston.
VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be July 29, 2014 before the Board of Appeals.

FILE: 3684 - APPLICANT: Jay C. Emrey, III.
FOR: Special Exception to hold events for groups up to 25 people.
PROPERTY LOCATION: 55 Patrick Ward Drive, Rising Sun, MD 21911. Election District: 5, Tax Map: 24, Parcel: 201.
PROPERTY OWNER: Anthony E. Weymouth (Deceased); John Thorndike, Personal Rep.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Jay Emrey, III and William Machold, 2nd Executor of the Estate of Anthony Weymouth, appeared and presented an overview of the application. Mr. Emrey explained that in the will of Mr. Weymouth, he left his Patrick Ward Drive residence to a non-profit foundation called the feelingcatharsis.com. This group has met informally in the past at the residence. Mr. Emrey stated that this application is not to allow for large gatherings. They would like to get approval for groups of up to 25 people. There will be no loudness, should this application be approved. Most meetings are held indoors. This is not a paid group nor are there counselors or psychologists. They are individuals that meet with a common purpose. Mr. Emrey felt that since the estate was left to a foundation, he felt that a Special Exception would be recommended. He finished by saying that after Mr. Weymouth passed away, a large memorial service was held on his property. He stated that gatherings of that size will not happen in the future.

Mr. Machold explained that many of the people that have attended past sessions at the residence have been friends for many years. The age group is almost all over 60 years of age. The attendees have been dealing with deep emotional problems, which is why they meet. The group finds comfort and support from one another. Mr. Machold explained that there would not be any psychiatric counseling taking place at these events. The group has been meeting at Mr. Weymouth’s property for many years. Mr. Emrey asked his client if this group would cause any additional traffic to the area. Mr. Machold said no and that there is ample parking on the property. Mr. Machold feels that this group would not contribute to negative effects on surrounding properties.

Councilwoman Broomell asked for clarification on who has authority over the estate and if Mr. Thorndike is the individual that signed the Special Exception application. Mr. Emrey stated that Mr. Thorndike is the executor of Mr. Weymouth’s will and that he did, in fact, sign the application.

Councilwoman Broomell asked if the meetings will be open to the public. Mr. Machold said yes. Mr. Emrey stated that it is not advertised on the residence or online. Mr. Machold stated that there was a group called the International Primal Association held a retreat on the residence after Mr. Weymouth’s passing. At that retreat, there were approximately 20-25 people in attendance. The group did advertise the retreat on their website stating that there was a charge for the event. That money was paid to the International Primal Association rather than Mr. Weymouth’s estate. Mr. Machold said he was aware that the retreat caused some concern for the neighbors and stated that a retreat such as that will not be repeated.

Mr. Wiggins read the comments of the Health Department:
Submit information of residential status, types of events, frequency of events and how many bedrooms exist at present time. Permit F3407 was issued in January, 1998 for 1 bedroom single family dwelling. Septic system may be capable of treating proposal which will be determined when requested information is received.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: Alan Kohada, 54 Patrick Ward Drive, Rising Sun, MD 21911 spoke in opposition of this applications. He feels that this group has circumvented the Zoning Ordinance by holding the events without proper approval. He believes the location of Mr. Weymouth’s driveway creates an unsafe situation for him, once adding the additional traffic from the proposed events. Mr. Kohada presented a picture of the driveway to the commission members. He also feels that the group and extra traffic creates an unsafe condition for the neighborhood children as well as depreciating the surrounding properties.
William Matthei, 1674 Theodore Road, Rising Sun, MD 21911, spoke in opposition of this application. He had stated that, in the past, Mr. Weymouth had told people that the land behind his property was public land. Mr. Matthei stated that the land in question is actually his land. He has had to remove people from his land. He feels that the applicants are not being forthcoming with all the information on this application. He doesn’t understand why a Special Exception is required if they are just having friends over for gatherings.

Councilwoman Broomell asked if the group is a registered non-profit group and if they have a description or mission statement. Mr. Machold said there is a mission statement in the articles of incorporation. It is meant to promote community well being and emotion work. The group is currently seeking 501 C-3 status with the IRS.

Mr. Miners asked the applicant if he is seeking approval to hold the same type of events that the group has already had for the past few years. Mr. Machold said yes.

Mr. Wiggins asked what the frequency of meetings will be if the application is approved. Mr. Machold said 2 times per month on the weekends usually last 1-2 nights.

RECOMMENDATIONS:
Staff recommended disapproval, more harmful at this location than a similar location in the NAR zone.

ACTION: Motion was made for approval by Mr. Wallace. Motion seconded by Mr. Miners.
VOTE: Members voting in favor of this application include Messrs Miners, Wallace and Johnston. Members voting in opposition of this application include Messrs Doyle and Wiggins. Motion for approval carried.

The next meeting for this application will be July 29, 2014 before the Board of Appeals.

FILE: 3686 - APPLICANT: Scott Viars.
FOR: Special Exception to locate a singlewide or doublewide manufactured home for hardship purposes.
PROPERTY LOCATION: 111 Jackson Hall School Road, Elkton, MD 21921, Election District: 4; Tax Map: 14; Parcel: 54.
PROPERTY OWNER: Scott Viars
PRESENTLY ZONED: Low Density Residential, (LDR).

WITHDRAWN, applicant failed to appear to present proposal.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:40 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, August 18, 2014, at 7:00 p.m. located in The Elk Room.
Respectfully submitted:

______________________________
Jennifer Bakeoven, Administrative Assistant
Office of Planning and Zoning
PRESENT:  Pat Doordan, (Chairman), Ken Wiggins, Chad Johnston, Bill Miners, Geoff Doyle, Wyatt Wallace, Diana Broomell (Ex-Officio), Eric Sennstrom, Cliff Houston and Jennifer Bakeoven.

ABSENT:  Tom Mullen, (Alternate).

MINUTES- Motion made by Mr. Wallace, seconded by Mr. Miners and unanimously carried to approve the Monday July 21, 2014, 7:00 p.m., minutes as mailed.

AGRICULTURAL PRESERVATION DISTRICT:

FOR: Preservation District Establishment.
PROPERTY LOCATION: Liberty Grove Road, Colora, MD 21917, Election District: 6, Tax Map: 16, Grid: 12, Parcel: 10.
ACREAGE: 124.5 (District); 124.5 (Total Farm).
PROPERTY OWNERS: John & Marcia Harnish.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Steve O’Connor, the County’s Agricultural Land Preservation Administrator, Office of Planning & Zoning, appeared and presented an overview of the request. Mr. O’Connor explained that the Harnish’s are looking to establish a Preservation District on their farm. Should the Harnish’s application be approved, the applicants will agree to not develop their land for a minimum of five (5) years and in return, they will receive a 50% tax credit on the property taxes of their farm. Mr. O’Connor stated that this is a voluntary first step in setting up an agricultural easement into the property.

HEALTH DEPARTMENT:  Health Department has no objection to this request.

COMMENTS IN SUPPORT: Charles Herzog, Stoney Battery Farm, Colora, MD appeared in favor of this project.

COMMENTS IN OPPOSITION:  None.

Councilwoman Broomell asked Mr. O’Connor if this property is the type of property the County is looking to have put into preservation. Mr. O’Connor said yes.

RECOMMENDATIONS:
Staff recommended approval.

ACTION: Motion made to approve by Mr. Miners. Motion seconded by Mr. Wallace.
VOTE: All members voted in favor of this application.
Motion for approval carried.

The next meeting for this application will be August 19, 2014 before the County Council.

SPECIAL EXCEPTION:

FOR: Special Exception to run a Bed & Breakfast.
PROPERTY LOCATION: 41 Tailwinds Lane, North East, MD 21901, Election District: 9, Tax Map: 12, Parcel: 97.
PROPERTY OWNER: Theodore & JoAnn Dawson.
PRESENTLY ZONED: Rural Residential (RR).

JoAnn and Ted Dawson appeared and presented an overview of the application. Mrs. Dawson explained that they had been operating as a Bed & Breakfast for the past 15 years, unaware that a Special Exception was needed in order to hold special events. They plan to continue to offer two (2) rooms in the Bed & Breakfast. Some of the events that they currently hold on the farm are as follows: summer camps, riding lessons, birthday parties, pony rides, trail rides, horse drawn carriages, Girl Scout programs, horse shows, hay rides and fresh produce and hay sales.

Mrs. Dawson stated that their farm has won several awards and has been featured on local and national outlets.

HEALTH DEPARTMENT: Submit a proposal for Bed and Breakfast operation including number of bedrooms, septic tank size and number of people the facility will serve. Water and sewer must be adequate for proposal. Please contact Health Department regarding serving of food.

COMMENTS IN SUPPORT: The following individuals appeared in favor of the application: Jonathon Quinn, Cecil County Farm Bureau; Sandy Turner, Cecil County Tourism, Donna Zeimer, North East, MD; Charles Herzog, Colora, MD; and Bonnie Grady, Cecil County Chamber of Commerce.

COMMENTS IN OPPOSITION: None.

Mr. Houston stated that the Office of Planning & Zoning received letters in favor of this application from the following people: Mary Ellen & Ed Knorr, North East, MD; Karen & Jamie Curran, North East, MD; and Joanne Young, Cecil County Department of Economic Development.

RECOMMENDATIONS: Staff recommended approval, for as long as the applicants own the property and operate the Bed & Breakfast.

ACTION: Motion made to approve with staff’s conditions by Mr. Wallace. Motion seconded by Mr. Miners.
VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be August 26, 2014 before the Board of Appeals.
FOR: Special Exception for placement of SWMH for hardship purposes.
PROPERTY LOCATION: 1118 Shady Beach Rd. Elkton MD 21921, Election District: 5, Tax Map: 36, Parcel: 654, Lot: 1A.
PROPERTY OWNER: Douglas C. & Deborah J. Day.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Douglas Day appeared and presented an overview of his application. Mr. Day explained that due to medical reasons, he would like to place a SWMH on his property for his aging in-laws. The placement of the mobile home will be located behind an existing building on his property. The mobile home will be located approximately 550 ft from Shady Beach Road.

Mr. Wallace asked if adjoining property owners were notified of this application. Mr. Houston said yes.

HEALTH DEPARTMENT: Permit G3427 was issued for a 4 bedroom dwelling, septic system was installed for 5 bedrooms. Conditions to meet septic requirements has been presented by property owner and approved by the Health Department. The Health Department has no objection to this Special Exception request.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

Councilwoman Broomell asked if it would be beneficial for the applicant to get letters of support. Mr. Houston said yes.

RECOMMENDATIONS:
Staff recommended approval for two (2) years.

ACTION: Motion made to approve with staff’s conditions by Mr. Johnston. Motion seconded by Mr. Doyle.
VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be August 26, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:30 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, September 15, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

___________________________________
Jennifer Bakeoven
Administrative Assistant
Office of Planning and Zoning
PRESENT:  Pat Doordan, (Chairman), Ken Wiggins, Chad Johnston, Bill Miners, Tom Mullen, (Alternate), Diana Broomell (Ex-Officio), Eric Sennstrom, and Jennifer Bakeoven.

ABSENT:  Geoff Doyle, Wyatt Wallace, Cliff Houston.

MINUTES- Motion made by Mr. Miners, seconded by Mr. Johnston and unanimously carried to approve the Monday August 26, 2014, 7:00 p.m., minutes as mailed.

Chairman Doordan stated that at the 12:00 Planning Commission meeting (9/15/14), there was discussion as to who would represent the Planning Commission at the WIP meetings. Mr. Wallace was the past representative. Due to no other Planning Commission member being available to act as the representative for this committee, Mr. Wallace agreed, via email, to continue as the Planning Commission representative.

SPECIAL EXCEPTION:

FILE: 3690 - APPLICANT: Gary Lee Crouse.
FOR: Special Exception to operate an in-home gunsmith business.
PROPERTY OWNER: Gary L. & Dawn M. Crouse.
PRESENTLY ZONED: Low Density Residential, (LDR).

Gary Crouse appeared and presented an overview of this application.

HEALTH DEPARTMENT: Permit G7254-04 issued in 2005 for a residential dwelling served by on-site water and septic systems. Health Department has no objection to this Special Exception request.

COMMENTS IN SUPPORT: None

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval, for two (2) years.

ACTION: Motion made to approve with staff’s conditions by Mr. Mullen. Motion seconded by Mr. Wiggins. VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be September 23, 2014 before the Board of Appeals.
FILE: 3691 - APPLICANT: Carl E. Schaumann.
FOR: Renewal of a Special Exception for a home occupation to operate a small baking business.
PROPERTY LOCATION: 1119 Cecilton Warwick Road, Warwick, MD 21912, Election District: 1, Tax Map: 63, Parcel: 69.
PROPERTY OWNER: Carl Schaumann & Beth Renzulli.
PRESENTLY ZONED: Southern Agricultural Residential, (SAR).

Carl Schaumann appeared and presented an overview of this application. He stated that he has spent much of the last two (2) years making renovations to his home in preparation of this business. He has been in operation for approximately seven (7) weeks. Most of his business is at farmers markets. All sales are off site.

Mr. Wiggins asked what types of foods Mr. Schaumann bakes. Mr. Schaumann said that he specializes in a variety of breads. He also bakes cookies, scones, muffin, as well as other baked goods.

HEALTH DEPARTMENT: Permit # 201313643 was issued for this baking business. Health Department has no objection to this Special Exception request.

COMMENTS IN SUPPORT: None.
COMMENTS IN OPPOSITION: None.
RECOMMENDATIONS: Staff recommended approval, for as long as the applicant owns the property and operates the business.

ACTION: Motion made to approve with staff’s conditions by Mr. Miners. Motion seconded by Mr. Mullen. VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be September 23, 2014 before the Board of Appeals.

FILE: 3692 - APPLICANT: William Morrow, III.
FOR: Special Exception to operate an in-home massage therapy business.
PROPERTY LOCATION: 1191 Dr. Jack Road, Conowingo, MD 21918, Election District: 7, Tax Map: 22, Parcel: 165.
PROPERTY OWNER: William Morrow & Elke Binder.
PRESENTLY ZONED: Rural Residential, (RR).

William Morrow, III, appeared and presented an overview of this application.

HEALTH DEPARTMENT: Permit # A8216 was issued in 1977 as a residential dwelling served by on-site well and septic systems. Health Department has no objection to this Special Exception request.
COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

Councilwoman Broomell asked if a license in massage therapy is necessary and if so, does the applicant have the proper licenses. Mr. Morrow stated that there is a required license to perform as a massage therapist. He is certified in Delaware and will be taking his nationals for his Maryland license next month.

RECOMMENDATIONS:
Staff recommended approval, for two (2) years.

ACTION: Motion made to approve with staff’s conditions by Mr. Johnston. Motion seconded by Mr. Miners. VOTE: All members voted in favor of this application.

Motion for approval carried.

The next meeting for this application will be September 23, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:14 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, October 20, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

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Jennifer Bakeoven
Administrative Assistant
Office of Planning and Zoning
PRESENT: Pat Doordan, (Chairman), Ken Wiggins, Geoff Doyle, Wyatt Wallace, Chad Johnston, Bill Miners, Diana Broomell (Ex-Officio), Cliff Houston and Jennifer Bakeoven.

ABSENT: Tom Mullen, (Alternate), and Eric Sennstrom.

MINUTES- Motion made by Mr. Wallace, seconded by Mr. Johnston and unanimously carried to approve the Monday September 15, 2014, 7:00 p.m., minutes as mailed.

NOMINATION FOR HISTORIC DESIGNATION:

NAME OF PROPERTY: Hebron's Gift, Tax Map: 12, Parcel: 3.
LOCATION: 211 Brick Meetinghouse Road, North East, MD 21901, Presently Zoned: Open Space, (OS).
PROPERTY OWNER: Cecil County Government.

Cliff Houston presented an overview of the application. Cecil County Executive Tari Moore has nominated the existing dwelling on the Calvert Regional Park property for local historic designation. This dwelling, known as Hebron’s Gift, was erected in phases commencing in 1739 when the kitchen was constructed by then original owner John Daye. The main house was erected circa 1800.

The south façade brick is laid in a Flemish bond over a stone basement. The sashes are 9/9 on the main floor and 6/9 on the second floor. The “A” roof is set off from the brick by a heavy wooden cornice. The main section consists of two rooms divided by a central stair hall.

This application was review by the Cecil County Historic District Commission at their meeting of October 7, 2014. The Historic District Commission has recommended approval with the condition that the existing chain link fence by replaced, if possible, with a less obtrusive fence.

The nomination for historic designation will be introduced before County Council on December 2, 2014 with a public hearing scheduled for January 6, 2015. If approved by the County Council, it will be the 30th locally designated site in the County.

Discussion ensued regarding the effect on taxes for this property and the benefit of a Historic District designation.

HEALTH DEPARTMENT: No comments.

COMMENTS IN SUPPORT: None

COMMENTS IN OPPOSITION: None.
RECOMMENDATIONS:
Staff recommended approval.

ACTION: Motion made to recommend approval by Mr. Wiggins. Motion seconded by Mr. Wallace.

Motion for approval carried.

The next meeting for this application will be December 2, 2014 before the County Council of Cecil County.

AGRICULTURAL PRESERVATION DISTRICT:

FOR: Preservation District Establishment.
ACREAGE: 120.83.
PROPERTY OWNERS: David L. & Charlotte Dudkewitz.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Steve O’Connor, P&Z, appeared and presented an overview of the applications. The proposed district property is located at 1777 Appleton Road Elkton, Maryland 21921; and further identified as Tax Map 14 Grid 21 Parcel 26.

Zoned NAR, the property is located in Election District 4, and contains 120.83 acres. The proposed District will contain the entire 120.83 acres at the owner’s request. The proposed District would become part of 5267.97 contiguous acres of protected lands & no additional contiguous acres of district lands. Approval of the application will create a block of 5267.97 protected acres and 120.83 district acres.

The proposed District is located OUTSIDE of the Master Water and Sewer Plan service areas.

Chapter A385-3, of the Code of Cecil County sets the regulatory criteria for establishment of an Agricultural Preservation District. Chapter A385-3 subsection D, of the Code of Cecil County requires that all districts consist of "a minimum of 50% of USDA Soil Capability Classes I, II, III; and if the property is wooded than at least 50% soils shall Woodland Groups 1 and 2 soils. This proposed District contains a total of 95.506 acres of Classes I, II and/or III soils. This proposed District contains a total of 3.79 acres of Woodland Groups 1 and 2 soils. Thus, 99.3 or 86.47% of the proposed district consists of the required soil types.

Chapter A385-3 subsection C, of the Code of Cecil County requires that all Districts consist of a minimum of 50 contiguous acres. This proposed District contains 120.83 acres and does meet this requirement.

Planning & Zoning Staff recommended approval on October 1, 2014. The Agricultural Preservation Advisory Board recommended approval on October 15, 2014.

HEALTH DEPARTMENT: File CE-15-02: David and Charlotte Dudkewitz, 1777 Appleton Road, Elkton, Maryland 21921 – Permits 291-91 and R1205-91 were issued to this site for on-site well and septic. Health Department has no objection to this establishment.
COMMENTS IN SUPPORT: None

COMMENTS IN OPPOSITION: None.

RECOMMENDATIONS:
Staff recommended approval.

Discussion ensued regarding property that adjoins the said property.

ACTION: Motion made to recommend approval by Mr. Wallace. Motion seconded by Mr. Miners.

Motion for approval carried.

The next meeting for this application will be December 2, 2014 before the County Council of Cecil County.

SPECIAL EXCEPTION:

FILE: 3697 - APPLICANT: Jay C. Emrey, III.
FOR: Special Exception to operate an MVA approved ignition interlock in-home installation business.
PROPERTY LOCATION: 385 Mt. Zoar Road, Conowingo, MD 21918 Election District: 8, Tax Map: 8, Parcel: 284.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Postponed until the November 17, 2014 Planning Commission meeting.

FILE: 3699 - APPLICANT: Stephen Beiler
FOR: Special Exception for placement of a mobile home for agricultural purposes.
PROPERTY LOCATION: 2660 Tome Hwy, Colora, MD 21917, Election District: 6, Tax Map: 10, Parcel: 565.
PROPERTY OWNER: Arthur Allen & Charlene Banks.
PRESENTLY ZONED: Rural Residential, (RR).

Stephen B. Beiler, appeared and presented an overview of the application. Mr. Beiler explained that he is in the process of buying the property at 2660 Tome Hwy, and would like to place a DWMH on the property of farm laborers.

Discussion ensued regarding the size and placement of the mobile home.

HEALTH DEPARTMENT: Soil evaluation/perc test are required to determine if the soil is capable of adequately treating the septic flow that would be created by this proposal; see Health Department for specifics.

COMMENTS IN SUPPORT: None

COMMENTS IN OPPOSITION: None.
FILE: 3700 - APPLICANT: Len Shufelt.
   FOR: Special Exception to operate a home office for a trash business.
   PROPERTY LOCATION: 77 Martin Road, Conowingo, MD 21918, Election District: 8, Tax Map: 16, Parcel: 384, Lot: 33.
   PROPERTY OWNER: Len & Dianne Shufelt.
   PRESENTLY ZONED: Rural Residential, (RR).

Dianna and Len Shufelt, appeared and presented an overview of the application. Mrs. Shufelt explained that they are looking to only operate the office out of their home for their trash business. They stated that there will be no trash or trucks being stored at the Martin Road residence. All trucks and containers are stored on a Biggs Hwy property and maintenance of the trucks is performed at a different location. Mrs. Shufelt gave the commission members a timeline of their past history with the Planning & Zoning department.

HEALTH DEPARTMENT: Health Department has no objection to this special exception request.

COMMENTS IN SUPPORT: None

COMMENTS IN OPPOSITION: Tony Phillips, 99 Martin Road, Conowingo, MD, spoke in opposition and presented pictures of the Shufelt’s property to the commission members.

Discussion ensued regarding past issues with the property in question and the resolutions that have been made since.

Mr. Houston stated that the Shufelts’ have been diligently working to correct the compliance issues that the County had previously cited them for; therefore, their residence is considered to be in compliance.

Councilwoman Broomell asked the applicants if they will have signs on their property advertising the business. The applicant said no.

RECOMMENDATIONS:
Staff recommended approval for two (2) years.

ACTION: Motion made to recommend approval with staff’s conditions by Mr. Miners. Motion seconded by Mr. Doyle.

Mr. Wiggins recommended amending the motion for approval to one (1) year. Mr. Miners amended his motion as follows:
ACTION: Motion made to recommend approval for one (1) year by Mr. Miners. Motion seconded by Mr. Doyle.

Motion for approval for one (1) year carried.

The next meeting for this application will be October 28, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:33 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, November 17, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

_______________________________
Jennifer Bakeoven
Administrative Assistant
Office of Planning and Zoning
PRESENT: Pat Doordan, (Chairman), Ken Wiggins, Geoff Doyle, Wyatt Wallace, Chad Johnston, Bill Miners, Diana Broomell (Ex-Officio), Eric Sennstrom, Cliff Houston and Jennifer Bakeoven.

ABSENT: Tom Mullen, (Alternate).

MINUTES- Motion made by Mr. Wallace, seconded by Mr. Miners and unanimously carried to approve the Monday October 20, 2014, 7:00 p.m., minutes as mailed.

NOMINATION FOR HISTORIC DESIGNATION:
NAME OF PROPERTY: Cross Keys Tavern.
PROPERTY OWNER: Penny & Timothy Woolley.

Eric Sennstrom presented an overview of the application. The original structure on the property was erected in 1717 by Robert Dutton. In 1744, the brick house was erected by Thomas Hughes and in 1798, an addition was built onto the structure by Elijah Hughes. The building was original constructed as a tavern for stage travel between the metropolitan centers of Philadelphia and Baltimore. This application has been before the Historic District Commission at their October 7, 2014 meeting. The HDC has forwarded a recommendation of approval. It will be introduced before the County Council on December 2, 2014 with a public hearing scheduled for January 6, 2015 and a decision will be made on January 20, 2015. If the County Council designates this property as a local historic site, it will be the 31st locally designated site in Cecil County.

HEALTH DEPARTMENT: No comments.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

STAFF RECOMMENDATION:
Staff recommended approval.

ACTION: Motion made to recommend approval by Mr. Miners. Motion seconded by Mr. Wallace.

Motion for approval carried.

The next meeting for this application will be December 2, 2014 before the County Council of Cecil County.
Eric Sennstrom presented an overview of the 2014 Cecil County Master Water and Sewer Plan. Section 9-503 of the Environment Article of the Annotated Code of Maryland requires the County to have Master Water & Sewer Plan. It also requires a review of the plan on a three (3) year basis to determine whether or not revisions or amendments are necessary. Cecil County is currently operating under the 2004 MW&S Plan which has been amended periodically over the years. This document is proposing a new document to replace the 2004 document. Comments have been received from the Town of North East, Artesian Water Co., and representatives from the Recovery Centers of America. Copies of those comments were provided to the Planning Commission for review. This matter will be introduced before the County Council on December 2, 2014, public hearing on January 6, 2015 and a decision will be made on January 20, 2015. If the Council approves on January 20, 2015, the document will be sent to MDE, who has ninety (90) days to review and approve the document. If they are unable to render a decision within the initial ninety (90) days, an additional ninety (90) day period will be given for review and approval.

Mr. Wallace asked for an explanation in the difference between the S2/W2 areas from the S3/W3 areas. Mr. Sennstrom stated that the S2/W2 are areas that are contemplated for service, that do not currently have existing service, to be established within a five (5) year time frame. The S3/W3 areas are contemplated for service within a six (6) to ten (10) year time frame. Discussion ensued regarding the possibility of changing an area from a S3/W3 to an S2/W2.

Discussion ensued regarding the process to which one has to take to request an amendment to the MW&S Plan.

HEALTH DEPARTMENT: No comments.

COMMENTS IN SUPPORT: Joseph Di Nunzio, Middle Road, Elkton, Executive Vice President - Artesian Water Co., made comments regarding the plan as it relates to Artesian Water Company. At this time, members of the Planning Commission, as well as Ms. Broomell, asked Mr. Di Nunzio a series of questions regarding his comments. Ryan Showalter, Miles & Stockbridge, also appeared in favor of this plan.

COMMENTS IN OPPOSITION: Joe Carabetta, Carpenters Point Road, Perryville, MD and Gary Stewart, Smile Way, York, PA, and Diane Carabetta, Carpenters Point Road, Perryville, MD spoke in opposition of the plan as presented.

Discussion ensued regarding the omission on sewer service to the Principio Business Park and previous amendments made to the Carpenters Point / Mountain Hill interconnection.

Chairman Doordan announced that the Planning Commission would go into a private session for discussion.

STAFF RECOMMENDATION:
Staff recommended approval to include the comments received from the Town of North East, Artesian Water Co., and Ryan Showalter on behalf of Recovery Centers of America.

Mr. Johnston asked if the staff's recommendation included the Principio Business Park. Mr. Sennstrom said that the Planning Commission can include this property if they choose to; nothing was received in writing from Mr. Stewart pertaining to the addition of this area in the plan. Should he choose to, Mr. Stewart can send his comments to the Council’s office and the Planning & Zoning office prior to the upcoming hearings.

ACTION: Motion made to recommend approval, with all S3/W3 areas in the designated growth corridor becoming S2/W2 areas, by Mr. Johnston. Motion seconded by Mr. Miners.
Mr. Wallace suggested amending the motion to follow the staff’s recommendation with the addition of Mr. Stewarts comments regarding the Principio Business Park.

Mr. Johnston chose to proceed with his motion. Mr. Miners also chose to let his second stand.

Members in favor of the motion include: Johnston, Miners and Doyle.
Member in opposition of the motion include: Wallace.

Mr. Wiggins abstained from voting.

Motion for approval carried.

The next meeting for this application will be December 2, 2014 before the County Council of Cecil County.

**SPECIAL EXCEPTION:**

**FILE: 3703** - **APPLICANT:** 314 Grove Neck LLC, c/o Ryan Showalter - Miles & Stockbridge.
FOR: Special Exception to operate a hospital in the SAR zone.
PROPERTY LOCATION: 314 Grove Neck Road, Earleville, MD 21919, Election District: 1, Tax Map: 61, Parcel: 12, Lot 41.
PROPERTY OWNER: RREF BB-MD SGRP LLC.
PRESENTLY ZONED: Southern Agricultural Residential, (SAR).

Ryan Showalter, Esq., Miles & Stockbridge and Brian O’Neill, Recovery Centers of America, appeared and presented an overview of the application. Mr. Showalter explained that although this Special Exception falls under the “Hospital” use, the activity proposed on the property is to develop the Bracebridge Hall facility as a drug and alcohol abuse and treatment recovery center. The proposal includes using the existing manor house as well as a possible addition of one or more structures on the property. Mr. O’Neill feels that this location is ideal for a recovery center due to the secluded location, beautiful views and the property being located between Baltimore, MD; Wilmington, DE; Philadelphia, PA and Washington, DC. He anticipates that their clients will come from all of those locations as well as locally. They plan to employee approximately 100 – 150 people, all local.

Mr. Miners asked if the patients would be considered “live-in” patients. Mr. O’Neill stated that it is usually a 28-30 day program. They encourage the more severe cases to consider staying 60-90 days.

Mr. Doyle asked how this facility will help Cecil County while pulling from such a large area. Mr. O’Neill stated that his company does not discriminate as to who receives treatment. They primarily accept private insurance and private pay but they also offer scholarships, especially to those in the local community.

Councilwoman Broomell asked Mr. O’Neill what he has done, in this field that has been proven to be effective. Mr. O’Neill stated that they hire the best doctors in the field. He went on to give the credentials of the top officers in the operation.

Discussion ensued regarding the accessibility of DES to the property.

**HEALTH DEPARTMENT:** Soils evaluations have been conducted on the property. Plans for water supply, sewage disposal and food service facility must be approved before site plan or building permit approval.
COMMENTS IN SUPPORT: Donald Allen, Zion Acres Road, North East, MD and Walter Rice, Voices of Hope, appeared in support of the application.

COMMENTS IN OPPOSITION: None.

Mr. Wallace asked if any County dollars are being used for this project. Mr. O’Neill said this is 100% privately funded. Discussion ensued regarding how the residents of Cecil County will benefit from the proposed services and scholarships. Mr. O’Neill stated that his company will give a 100% preference to a local resident over someone from out of town.

Mr. Houston stated that OPZ has received six (6) letters in favor of this application and one (1) letter in opposition. Those letters are available for review by the Planning Commission. A letter from the Critical Area Commission was also received. Mr. Houston’s recommendation will include the comments from the Critical Area Commission.

STAFF RECOMMENDATION: Approval, conditioned on the applicant obtaining a revised Growth Allocation Plan, per the Critical Area Commissions request.

ACTION: Motion made to recommend approval, conditioned on the applicant obtaining a revised Growth Allocation Plan by Mr. Wallace. Motion seconded by Mr. Wiggins.

Motion for approval carried.

The next meeting for this application will be November 25, 2014 before the Board of Appeals.

FILE: 3697 - APPLICANT: Jay C. Emrey, III.
FOR: Special Exception to operate an MVA approved ignition interlock in-home installation business.
PROPERTY LOCATION: 385 Mt. Zoar Road, Conowingo, MD 21918; Election District: 8, Tax Map: 8, Parcel: 284.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Jay Emrey, III, Esq., Loretta Sumner and William Sumner appeared and gave an overview of the application. Mr. Emrey explained that the Sumner’s had applied for and received approval in the past for a previous Special Exception for their business known as B&L Welding. That Special Exception has since been renewed for as long as the applicants own the property. Mr. Emrey explained what an ignition interlock system is/does. Mrs. Sumner stated that they usually only see 1-3 clients per day a few days per week. The process of installation from arrival time to departure time is one (1) hour.

HEALTH DEPARTMENT: Health Department has no objection to this special exception request.

COMMENTS IN SUPPORT: Joe Carabetta, Carpenters Point Road, Perryville, MD spoke in favor of this application.

COMMENTS IN OPPOSITION: None.

STAFF RECOMMENDATION: Approval, for as long as the applicants own the property and operate the business.
ACTION: Motion made to recommend approval, for as long as the applicants own the property and operate the business by Mr. Miners. Motion seconded by Mr. Johnston.

Motion for approval carried.

The next meeting for this application will be November 25, 2014 before the Board of Appeals.

GENERAL DISCUSSION: None.

The meeting adjourned at 8:38 p.m.

NEXT PLANNING COMMISSION MEETING: Monday, December 15, 2014, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

___________________________________
Jennifer Bakeoven
Administrative Assistant
Office of Planning and Zoning
PRESENT: Pat Doordan, (Chairman), Ken Wiggins, Geoff Doyle, Chad Johnston, Bill Miners, Joyce Bowlsbey (Ex-Officio), Eric Sennstrom, Cliff Houston, Steve O’Connor and Jennifer Bakeoven.

ABSENT: Wyatt Wallace and Tom Mullen, (Alternate).

MINUTES- Motion made by Mr. Miners, seconded by Mr. Wiggins and unanimously carried to approve the Monday November 17, 2014, 7:00 p.m., minutes as mailed.

TEXT AMENDMENT – Amendment to the Zoning Ordinance.
Addition of Section 162 – Vacation Home Rentals
Addition of Article II, Part I, Section 12 – Definitions (Vacation Home Rental).

Eric Sennstrom, Director – Planning & Zoning, gave an overview of the text amendment. Mr. Sennstrom explained that there currently is no language to address this situation. The County Executive has become cognizant of the fact that some residents are using their homes as such. This amendment will provide language for this growing trend to help regulate the use of vacation homes in the county.

Mr. Wiggins asked why the new regulation requires a minimum of five (5) consecutive calendar days for rentals. Mr. Sennstrom stated that the County Attorney added that language after reviewing the initial version of this amendment. He felt that this would be a way to reduce the potential of more frequent short term events that may cause a nuisance to neighboring homes.

Mr. Doordan asked if condominiums could be used as vacation homes under this proposed section. Mr. Sennstrom stated that a condominium is an ownership arrangement so it could be a single family home. If this was part of a multi-family complex, under the proposed language, one would not be able to establish a rental home within that dwelling type.

Mr. Doyle asked if the maximum of four (4) weeks means that four (4) weeks is the amount of time one (1) person can rent or does it mean that the owner can only lease it for that maximum. Mr. Sennstrom stated that the language addressing the four (4) week maximum was suggested to try to reduce the amount of frequency that this would occur in any given month.

Mr. Wiggins asked what may have prompted this amendment. Mr. Sennstrom stated that there are presently no regulations that address this situation. The County has recently received some complaints regarding some areas, mainly waterfront communities, where people are renting their homes and activities are causing concerns amongst the immediate neighbors.

HEALTH DEPARTMENT: No comments.

COMMENTS IN SUPPORT: None.
COMMENTS IN OPPOSITION: None.
STAFF RECOMMENDATION:
Staff recommended approval.

ACTION: Motion made to recommend approval was made by Mr. Wiggins. Motion died for lack of a second. No further motion made.

No recommendation given.

The next meeting for this application will be an introductory hearing on January 6, 2015 before the County Council of Cecil County, followed by a public hearing on February 3, 2015. A decision will be made at the February 17, 2015 County Council meeting.

AGRICULTURAL PRESERVATION DISTRICT:

FOR: Preservation District Establishment.
PROPERTY LOCATION: 168 Chandlee Road, Rising Sun, MD 21911, Election District: 9, Tax Map: 4, Grid: 23, Parcel: 65.
ACREAGE: 59.4763.
PROPERTY OWNERS: James E. & Marilyn Powell.
PRESENTLY ZONED: Northern Agricultural Residential, (NAR).

Steve O’Connor, MALPF Administrator, gave an overview of the application. The proposed district property is located at 168 Chandlee Road, Rising Sun, Maryland 21911; and further identified as Tax Map 4 Grid 23 Parcel 65. Zoned NAR, the property is located in Election District 9, and contains 59.4763 acres.
The proposed District will contain 59.4763 acres, with 0 acres withheld from the District, at the owner’s request. The proposed District would become part of 191.08 contiguous acres of protected lands & 43.54 contiguous acres of district lands to create a total of 191.08 protected acres, and 103.0163 district acres.

The proposed District is located OUTSIDE of the Master Water and Sewer Plan service area.

Chapter A385-3, of the Code of Cecil County sets the regulatory criteria for establishment of an Agricultural Preservation District. Subsection D, of that Chapter requires that all districts consist of "a minimum of 50% of USDA Soil Capability Classes I, II, III; and if the property is wooded than at least 50% soils shall contain Woodland Groups 1 and 2 soils."

This proposed District contains a total of 33.8 acres of Classes I, II and/or III soils, and contain 12.1 acres of Group 1 and 2 soils in Woodland areas. Thus, 45.9 acres or 80.10% of the proposed district consists of the required soil types. Chapter A385-3 subsection C, of the Code of Cecil County requires that all districts consist of a minimum of 50 contiguous acres. This proposed District contains 59.4763 acres, and does meet this requirement.

HEALTH DEPARTMENT: The Cecil County Health Department has no objection to this request of Agricultural Preservation District.
COMMENTS IN SUPPORT: None.
COMMENTS IN OPPOSITION: None.

STAFF RECOMMENDATION:
Both the staff and Ag. Preservation Advisory Board recommended approval.

ACTION: Motion made to recommend approval was made by Mr. Miners. Motion was seconded by Mr. Wiggins.

Motion for approval carried.

REZONING:
FILE: 2014-03-
APPLICANT: Murnop, Inc., c/o Michael Davitt.
REQUEST: Request to rezone .806 acres from Low Density Residential, (LDR) to Business General, (BG).
PROPERTY LOCATION: Telegraph Road, Elkton, MD 21921, Election District: 4, Tax Map: 14, Parcel: 720, Lot 2.
PROPERTY OWNER: Ruth-Ann Cullum.
PRESENTLY ZONED: Low Density Residential, (LDR).

Jay Emrey, Esq., and Michael Davitt appeared to present an overview of the application. Mr. Emrey stated that Mr. Davitt would like to rezone this property from the current Low Density Residential, (LDR) to Business Local, (BL). He explained that the original application had requested the zoning to be changed to Business General, (BG), but the applicant has decided to request the BL zoning instead. Mr. Emrey stated that there is thirty (30) acres of BG zoned land across MD Rte. 273 from this property as well as another BG zoned business to the west of this property. He would like to place a building on this property that will contain three (3) office units. Mr. Emrey stated that Mr. Davitt would be willing to place restrictions on the deed of the land to ensure the character of the neighborhood isn’t compromised in the future due to this rezoning. Mr. Emrey stated that they believe that there was a mistake in the 2011 Comprehensive Rezoning as he feels there should be more office space along MD Rte. 273. Mr. Emrey gave a history of Mr. Davitt’s previous work along MD Rte. 273.

Mr. Wiggins asked if the proposed restrictions on the deed would help restrict the land, should it be rezoned. Mr. Sennstrom stated that the restrictions on the deed would be legally binding but it would not restrict the land use if the requested rezoning is approved.

Discussion ensued regarding the suggested mistake in the 2011 Comprehensive Rezoning as Mr. Emrey alluded to in his opening comments.

COMMENTS IN SUPPORT: Harlan Williams, Little Egypt Road, Elkton, MD, appeared in favor of this project. He lot is a great example of how a developer can blend commercial into a residential area in a tasteful manner. He feels that this is not a desirable lot for residential use due to the surround businesses.

COMMENTS IN OPPOSITION: Ed Cairns, Jackson Hall School Road, Elkton, MD and Jane Cutler, Telegraph Road, Elkton, MD, spoke in opposition of this rezoning. They feel that if this rezoning is granted, that it will set precedence for future rezonings in the area. They also feel that there are plenty of empty office spaces already existing along MD Rte. 273.

Mr. Houston stated that OPZ received four (4) letters in opposition of this application. The letters stated that they feel there has been no mistake or change demonstrated.
STAFF RECOMMENDATION:
Staff recommended disapproval due to no demonstrated change in the character of the neighborhood since the 2011 Comprehensive Rezoning and no demonstrated mistake in the 2011 Comprehensive Rezoning.

A motion to recommend disapproval per staff’s comments was made by Mr. Wiggins. The motion was seconded by Mr. Doyle.

Members in favor of disapproval include: Johnston, Wiggins, Doyle.
Mr. Miners was the sole member in opposition of the motion to disapprove.

Motion for disapproval carried.

The next meeting for this application will be January 20, 2015 before the County Council.

SPECIAL EXCEPTION:
FILE: 3704 - APPLICANT: Jeannie Weitzel.
FOR: Renewal of Special Exception to operate an in-home hair salon.
PROPERTY LOCATION: 14 Harmony Chapel Road, Conowingo, MD 21918, Election District: 7, Tax Map: 16, Parcel: 93.
PRESENTLY ZONED: Rural Residential, (RR).

Jeannie Weitzel gave an overview of her application. She requested that if she is granted an approval, that it be for as long as she owns the property.

HEALTH DEPARTMENT: Permit 201211571 was issued for change of use. The Cecil County Health Department has no objection to this special exception request.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

STAFF RECOMMENDATION: Approval, for as long as the applicant owns the property and operates the business.

ACTION: Motion made to recommend approval, for as long as the applicant owns the property and operates the business by Mr. Miners. Motion seconded by Mr. Wiggins.

Motion for approval carried.

The next meeting for this application will be December 23, 2014 before the Board of Appeals.

FILE: 3705 - APPLICANT: Raylene Ewing.
FOR: Special Exception to operate an in-home office for a cleaning business.
PROPERTY LOCATION: 110 Ross St., Elkton, MD 21921; Election District: 3; Tax Map: 315, Parcel: 1023, Lot: 16.
PROPERTY OWNER: Christopher & Barbara Utz.
PRESENTLY ZONED: Suburban Transition, (ST).
WITHDRAWN, applicant failed to show.

GENERAL DISCUSSION: None.

The meeting adjourned at 7:50 p.m.

NEXT PLANNING COMMISSION MEETING: Wednesday, January 21, 2015, at 7:00 p.m. located in The Elk Room.

Respectfully submitted:

___________________________________
Jennifer Bakeoven
Administrative Assistant
Office of Planning and Zoning